

Docket No.: 284119US2X PCT/mca

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Katsutoshi TAKAGI, et al. ALLOWED: MARCH 25, 2010

SERIAL NUMBER: 10/564,502 GROUP: 1793

FILED: January 13, 2006 EXAMINER: YANG, JIE

FOR: AG BASE SPUTTERING TARGET AND PROCESS FOR PRODUCING THE
SAME

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Applicants acknowledge with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of March 25, 2010, Applicants respectfully submit the following comments.

In the Examiner's Statement of Reasons for Allowance, pages 4 and 5 state in part:

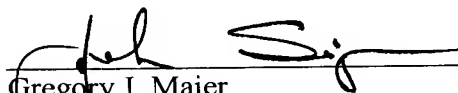
The recorded prior art Segal (US'494) teaches a metal sputtering target with fine uniform structure and textures. However, Prior arts (US'494, or US'494 in view of JP'433, or claims 1-4 of copending application No. 10/486913) do not specify the Ag target with three-dimensional fluctuation of grain sizes not more than 18% as defined in the instant claims 1 and 3, for example, obtaining three-dimensional fluctuation of grain sizes from comparing the different measurements from the surfaces of different sliced layers.

Although the above comment appears to be accurate with respect to Claim 1, it is respectfully noted that independent Claim 3 does not include all of the elements recited above. For example, Claim 3 does not include a reference to "the Ag target with three-dimensional fluctuation of grain sizes not more than 18%". Accordingly, it is respectfully submitted that

the above-quoted statement does not apply to Claim 3 to the extent the language used in the statement differs from the language of the claim.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

A handwritten signature in black ink, appearing to read 'G. J. Maier', is written over a horizontal line.

Gregory J. Maier
Registration No. 25,599

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/09)

John Sipos

Registration No. 61,985